

A

MP \$
#3



LAHIVE
&
COCKFIELD
LLP

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahive.com

JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPORT HAMMITTE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
PETER C. LAURO
JEANNE M. DIGIORGIO
DEBRA J. MILASINCIC, Ph.D.
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D.
MEGAN E. WILLIAMS, Ph.D.
RICHA NAND
MICHAEL PHILLIPPS *
LISA M. DIROCCO
HATHAWAY P. RUSSELL **
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.
PETER A. DIMATTIA
VINCENT P. LOCCISANO
MERIDETH C. ARNOLD

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.
SIBLEY P. REPPERT

PATENT AGENTS
THEODORE R. WEST
SHAYNE Y. HUFF, Ph.D.
DANIEL B. KO

TECHNICAL SPECIALISTS
CYNTHIA M. SOROOS
PETER W. DINI, Ph.D.
EUIHOON LEE
JENNIFER K. ROSENFELD
ALLAN TAMESHTIT, Ph.D.
CATHERINE E. McPHERSON
ERIC F. WAGNER, Ph.D.
SHAHID HASAN, Ph.D.
JACOB G. WEINTRAUB
JONATHAN M. SPARKS, Ph.D.
CRISTIN E. HOWLEY, Ph.D.

* Admitted in NY only
** Admitted in TX only

August 16, 2002

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Continuation Application Serial No. 10/001,218
Entitled: *Ethanol Production in Gram-Positive Microbes*
Filed: November 30, 2001
Applicants: Lonnie O. Ingram, et al.
Attorney Docket No.: BCI-009C3C4CN

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice to File Missing Parts of Nonprovisional Application (2 pages, in duplicate);
2. Request for 5-Month Extension of Time (1 page, in duplicate);
3. Copy of Formalities Letter (1 page); and
4. Return postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

Certificate of First Class Mailing (37 C.F.R. §1.8(a))

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on:

August 16, 2002

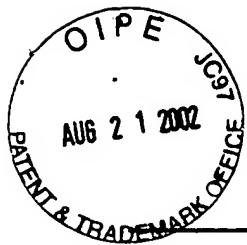
Date

Peter C. Lauro, Esq.
Registration No.: 32,360

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Peter C. Lauro, Esq.
Registration No.: 32,360
Attorney for Applicants



COPY OF PAPERS
ORIGINALLY FILED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Lonnie O. Ingram, *et al.*

Serial No.: 10/001,218

Filed: November 30, 2001

For: *ETHANOL PRODUCTION IN GRAM
POSITIVE MICROBES*

Attorney Docket No.: BCI-009C3C4CN

Group Art Unit: 1652

Examiner: Not Yet Assigned

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing (37 C.F.R. §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

August 16, 2002

Date of Signature and of Mail Deposit

By:

Peter C. Lauro, Esq.

Registration No.: 32,360

Attorney for Applicants

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION

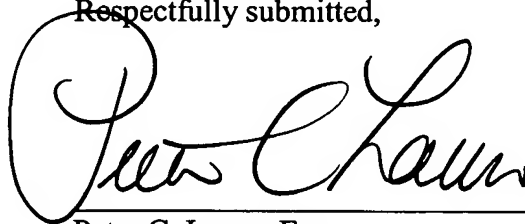
Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated January 31, 2002, Applicants' attorney submits herewith authorization to charge Deposit Account No. 12-0080 in the amount of \$477.00 to cover the total amount due by Applicants (\$370.00 basic filing fee, \$42.00 extra claims fee, and \$65.00 surcharge fee). Applicants are submitting herewith the appropriate Request for a 5-Month Extension of Time.

Also submitted herewith is a copy of the Formalities Letter

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. *A duplicate of this letter is enclosed.*

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter C. Lauro". The signature is written in a cursive style with a large initial "P".

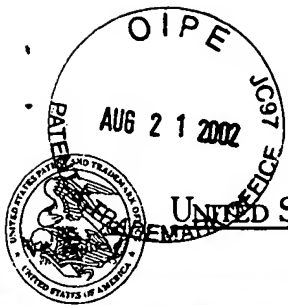
Peter C. Lauro, Esq.

Registration No.: 32,360

Attorney for Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: August 16, 2002



COPY OF PAPERS
ORIGINALLY FILED

Page 1 of 1

#3

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/001,218	11/30/2001	Lonnie O'Neal Ingram	BCI-009C3C4CN

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

CONFIRMATION NO. 1895

FORMALITIES LETTER



OC000000007396136

Date Mailed: 01/31/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$42.
 - \$42 for 1 independent claims over 3 .
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 477.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/23/2002 08:00:00 00000000 1000000 1000000

01 FC:201	370.00 CH
02 FC:202	65.00 CH
03 FC:203	42.00 CH

